

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

GABRIEL LIZANA

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:04cv23LG-JMR

GEORGE PAYNE, ET AL.

DEFENDANTS

FINAL JUDGMENT

This matter is before the Court on submission of the Report and Recommendation of Chief United States Magistrate Judge John M. Roper [69-1] entered in this cause on August 23, 2006, together with Plaintiff's objections filed September 8, 2006. The Court, having adopted said Report and Recommendation as the finding of this Court by Memorandum Opinion and Order entered this date, finds that this matter should be dismissed. Accordingly,

IT IS ORDERED AND ADJUDGED, that there is no genuine issue as to any material fact on Plaintiff's claims brought against the Defendants; therefore Defendants are entitled to Judgment as a Matter of Law pursuant to FED. R. CIV. P. 56.

IT IS FURTHER ORDERED AND ADJUDGED that this matter be, and is hereby, dismissed with prejudice. All pending motions are hereby rendered moot.

SO ORDERED AND ADJUDGED this the 10th day of September, 2006.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE